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Attorney for Defendant
JOSE SANTANA RIVERA

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE SANTANA RIVERA, et al.,

Defendants.

No. CR. S 05-0095 MCE

STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE STATUS
CONFERENCE

The United States of America, through Assistant U.S. Attorney Phillip A. Talbert, and defendant Jose Santana Rivera, through his counsel Scott L. Tedmon, hereby stipulate and agree as follows:

1. The current status conference in this case is set for August 23, 2005 at 8:30 a.m.
2. At the July 26, 2005 status conference, present counsel for Mr. Rivera was appointed and time was excluded under the Speedy Trial Act through August 23, 2005 under Local Code T4, need of counsel to prepare. The parties stipulate and agree that time should continue to be excluded on the ground of need of counsel to prepare. The indictment in this case charges defendant Rivera with one count of 21 U.S.C. §846 and 841(a)(10) - Conspiracy to Possess Methamphetamine with Intent to Distribute; and four counts of 21 U.S.C. §841(a)(1) - Possession of Methamphetamine with Intent to Distribute.

1 3. The government has provided defense counsel with discovery consisting of written
2 reports, video tapes and audio tapes of the transactions spanning a five-month period of time as
3 alleged in the Indictment. The government and defense agree that a thorough review of all the
4 discovery is necessary and relevant to the defense counsel's full and proper review of the case. A
5 review of these materials is also necessary to determine what pre-trial defense motions will be filed,
6 if any.

7 4. Accordingly, it is hereby stipulated and the parties agree that the date for the status
8 conference in this matter be continued to September 20, 2005 at 8:30 a.m., and that time be excluded
9 under the Speedy Trial Act for need of counsel to prepare pursuant to 18 U.S.C. §3161(h)(8)(B)(iv),
10 Local Code T4.

11 Finally, Scott L. Tedmon has been authorized by all counsel to sign this stipulation on their
12 behalf.

13 **IT IS SO STIPULATED.**

14 DATED: August 18, 2005

McGREGOR W. SCOTT
United States Attorney

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16 /s/ Phillip A. Talbert
PHILLIP A. TALBERT
Assistant U.S. Attorney

17 DATED: August 18, 2005

LAW OFFICES OF SCOTT L. TEDMON

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19 /s/ Scott L. Tedmon
SCOTT L. TEDMON
Attorney for Jose Santana Rivera

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ORDER

GOOD CAUSE APPEARING and based upon the above stipulation, IT IS HEREBY ORDERED that the status conference set for August 23, 2005 is vacated and a further status conference is set for September 20, 2005 at 8:30 a.m.

Based upon the above stipulation, IT IS FURTHER ORDERED that time be excluded under the Speedy Trial Act for need of counsel to prepare pursuant to 18 U.S.C. §3161(h)(8)(B)(iv), [Local Code T4] through September 20, 2005, the date of the next status conference.

IT IS SO ORDERED.

DATED: August 19, 2005

A handwritten signature in blue ink, appearing to read "Morrison C. England, Jr.", is written over a horizontal line.

MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE